UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

Fair Isaac Corporation,

Plaintiff(s),

VS.

Case No. 16-CV-1054 (WMW/DTS)

Federal Insurance Company, an Indiana Corporation, and ACE American Insurance Company, a Pennsylvania Corporation,

Defendants.

MEET-AND-CONFER STATEMENT

I, Terrence J. Fleming, representing the Defendants, hereby certify that:

I met and conferred with the opposing party by:

Meeting with: Heather Kliebenstein, and Michael Eberle

On: November 28, 2022

Discussing the following motion:

Defendants' Motion to Bifurcate.

As a result of the meet-and-confer, the parties: (Check the box that applies.)

 $\underline{\mathbf{X}}$ Do **not** agree on the resolution of any part of the motion.

Agreed on all or part of the motion and request that the Court incorporate the following agreement in an order:

Dated: November 29, 2022

s/ Terrence J. Fleming

Terrence J. Fleming (#0128983)
tfleming@fredlaw.com
Leah C. Janus (#0337365)
ljanus@fredlaw.com
Christopher D. Pham (#0390165)
cpham@fredlaw.com
Ryan C. Young (#0397751)
ryoung@fredlaw.com
Panhia Vang (#399444)
pvang@fredlaw.com

Fredrikson & Byron, P.A.

200 South Sixth Street, Suite 4000 Minneapolis, MN 55402-1425 (612) 492-7000 (tel.) (612) 492-7077 (fax)

Leah Godesky (Admitted Pro Hac Vice)

O'Melveny & Myers LLP

Times Square Tower 7 Times Square New York, NY 10036 (212) 326-2000 lgodesky@omm.com

Attorneys for Federal Insurance Company and ACE American Insurance Company